

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent 6,353,038

Allan AHO et al.

Serial Number: 09/446,630

Issued: March 5, 2002

For: NOVEL PLASTIC BASED COMPOSITE AND ITS USE

**PETITION UNDER 37 C.F.R. § 1.182 FOR EXPEDITED CONSIDERATION OF
RENEWED PETITION PURSUANT TO 37 C.F.R. § 1.378(e)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 16, 2012

Sir:

A Renewed Petition for Acceptance of Unavoidably Delayed Maintenance Fee Payment Pursuant to 37 C.F.R. § 1.378(e) was filed November 13, 2012 for U.S. Patent 6,353,038 ("the '038 patent"). The patent owner, Vivoxid Oy ("Vivoxid"), requests expedited consideration of the Renewed Petition in view of the facts set forth below.

Purac Biomaterials ("Purac") acquired substantially all the assets of Vivoxid pursuant to a Business Purchase Agreement ("BPA") executed in July 2012. However Purac did not acquire the '038 patent due to the unavoidable delay in payment of its second maintenance fee. Pursuant to the BPA, Purac will purchase the '038 patent from Vivoxid if the '038 patent is reinstated no later than January 13, 2013. The purchase price for the reinstated '038 patent is significant.

U.S. Patent 6,353,038

PATENT

PETITION UNDER 37 C.F.R. § 1.182 FOR EXPEDITED CONSIDERATION
OF RENEWED PETITION PURSUANT TO 37 C.F.R. § 1.378(e)

Action Requested

It is hoped the Patent Office will recognize Vivoxid's compelling need for expedited consideration of its Renewed Petition and reinstatement of the '038 patent no later than January 13, 2013. Accordingly, favorable consideration of the Renewed Petition with special dispatch is earnestly requested.

The petition fee set forth in 37 C.F.R. § 1.17(f) is being paid today. The Commissioner is authorized to charge any additional fee required by this Petition to Deposit Account 50-1258.

Respectfully submitted,

/James C. Lydon/

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